CHAPTER IX

RELIGIOUS OCCASIONS AND LOCAL CUSTOMS

RAMADAN

796 785 This fast, which is the name of a month in the Islamic calendar, has often been described as the Moslem Lent. During Ramadan there is a complete ban on eating, drinking and smoking during the hours [805] of daylight. The Moslem day begins at sunset, and each evening during Ramadan the setting of the sun is announced by the firing of guns in various towns, the signal that eating and drinking may commence. Two meals are eaten during the night, the first as soon as possible after sunset and the second shortly before dawn. It is often the custom to break the fast with a drink of butter-milk, before proceeding to the heavy eating. After the first meal is over people in Bahrain go visiting and sit in the coffee-shops and cinemas. At the beginning of Ramadan, all through the night the town is busy with the coming and going of the people, radios and gramophones play at full blast in the coffee-shops and night is turned into day. Later in the month there is some slackening of activity, people return earlier to their homes and endeavour to get some sleep, but they are soon awakened by the drummers who go around the town before dawn waking the sleepers so that they may eat before it becomes light. Of necessity the non-Moslem follows the Islamic time-table during this month, for he is usually kept awake by the activity in the streets, and if he does succeed in getting to sleep he is soon awakened by the persistent drummers on their rounds.

According to Moslem Law eating, drinking and smoking must cease directly it is possible to discern the difference between a black and a white thread, but it is now the custom in Bahrain towns to fire guns to announce the break of day. During the day in Ramadan life moves at a slower pace than during the other months of the year, and this is especially true when Ramadan falls in the summer, for the combination of no food and drink and the heat and dampness of Bahrain reduces peoples' energy. It is noticeable that there are more [691] court cases about domestic troubles during Ramadan while the serious crimes decrease. In the evenings in this month the townsfolk go out to the gardens and sit in the shade of the trees waiting for darkness to fall. Adari is particularly popular, many fasters try to reduce their thirst by swimming lazily in the cool waters of the pool.

As with all Moslem occasions, the end of Ramadan is decided by the appearence of the new moon, about which there is usually a dispute. While the Sunnis recognise the Royal Observatory at Cairo as an authority on the appearance of the moon, the Shia insist that it should be seen in Bahrain. The result has often been that the Eid has started on two different days for the two sects, and in one memorable year there were three Eid days, one for each of the two sects and a third for the Ismailis, who have their own way of reckoning dates.

JUDICIAL

(From the report of Mr. Salim Al Arayedh, Superintendent, Judicial Department)

The number of cases of all kinds which were filed in the Senior Court, consisting of Shaikh Daij bin Hamed and Shaikh Ali bin Ahmed, sitting separately except on one day of the week when both sit together with the Adviser, was 1158. This was 258 more than in the previous year. The cases consisted of 451 civil suits of which 15 related to administration of estates, 430 criminal charges, including a number of trivial matters which would not usually be dealt with by a senior court, and 227 land registration cases. The increase over the previous year was mainly due to the court having acquired jurisdiction over nationals of other Gulf States. Of these cases 167 were civil suits. 691

In all the courts civil suits predominate and a high proportion of them are concerned with immovable property. The high value of land, especially in the towns, has made the public more conscious of the importance of boundaries and the worth of property. There has been much litigation over inheritance and shares in houses and gardens. Heirs in estates who in the past were content to live together in one building now apply to the courts for an order to divide the property so that they may sell their shares in it. Because such high prices can be obtained for land anybody who can claim even a small share in a building or a garden takes his case to the courts. 691 423 428

It has been noticed in the Appeal Court too that questions of land ownership and boundaries have predominated.

There were no important civil cases and, apart from traffic offences, no serious crimes. A man stabbed his brother during a quarrel, inflicting "grievous hurt" for which he was sentenced to four years rigorous imprisonment and in two fatal traffic accidents drivers of vehicles were sentenced to two years rigorous imprisonment and to pay fines of Rs. 5,000/-. In certain traffic offences the occupants of cars ran away which suggests that they were probably under the influence of liquor when the accidents occurred. 681 697

Fines amounting to Rs. 7,623/- were paid into court and the sum collected in court fees was Rs. 43,599.

In the small courts 1,964 new cases were filed, 1,668 cases were disposed of and at the end of the year 692 cases were pending. The courts issued 506 execution orders leaving 155 to be dealt with at the end of the year. 691

The Sunni and Shia Courts heard 269 and 172 cases respectively leaving 119 and 51 cases pending. Out of 129 cases which were referred to the Majlis Tajara for an opinion 94 cases were returned to the courts and 35 cases were pending.

The Sunni Shera Court did not work smoothly during the year owing to differences of opinion among the three Kadis, two of them being of the Maliki and one of the Shafi Sect. At one time all cases were judged according to the Maliki tenets, this being the sect of the Ruling Family, but some years ago the Government issued a direction to the court according to which if the plaintiff, or both parties, followed the Shafi doctrine then their case should be tried according to Shafi law. 692 693

There has also been criticism of the Maglis Tajara which consists of a group of leading merchants appointed by the Government who give opinions on commercial matters and local custom. They are busy men and they receive no pay and when it is inconvenient for them to attend the court, and it is frequently inconvenient, they do not appear. Often less than half of the number are present. In addition, they are closely connected either as competitors or partners and it is sometimes difficult for them to give impartial opinion.

The Shia Appeal Kadi gave judgment in 18 cases, the Senior Appeal Court heard 27 cases and the Junior Appeal Court dealt with 28 cases.